

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley, (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Elliot R. Feldman, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR
Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haefele, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC	J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF

February 27, 2018

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

The Plaintiffs' Executive Committees, on behalf of all plaintiffs, write to respectfully request a one week extension of the deadline for plaintiffs and the merits discovery defendants to serve any amended witness disclosures, from March 2, 2018 (ECF No. 3894 at ¶ 6) to March 9, 2018. The merits discovery defendants consent to this request.

As the Court is aware, the March 2, 2018 deadline for amended witness disclosures was incorporated into the deposition protocol, at the suggestion of the parties. The underlying negotiations carried on for a number of months, and involved numerous changes to both substantive provisions and proposed deadlines presented to the Court. In the context of those fluid discussions, the PECs failed to realize that one of their principal consultants would be away and largely unavailable during the weeks leading up to March 2, 2018. The PECs would like their consultant to have an opportunity to survey the amended witness disclosure before serving it on the defendants, and for that reason respectfully request a one week extension of the deadline for serving the amended witness disclosures.

In making this request, the PECs note that they provided the defendants with a list of sixteen proposed initial deponents on February 6, 2018. In addition, at the request of defendant Dallah Avco, for which plaintiffs had identified three potential witnesses in their February 6th letter, the PECs provided a supplemental list of eleven additional potential deponents relating to the claims against Dallah Avco, in the hopes of scheduling the depositions of multiple Dallah Avco witnesses in a bloc. Accordingly, the PECs' efforts to schedule a slate of depositions to

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begin in April are ongoing already, and the proposed extension of the deadline for amended witness disclosures will in no way delay or interfere with those efforts.

We thank Your Honor in advance for the Court's attention to this matter.

Respectfully submitted,

COZEN O'CONNOR

A handwritten signature in blue ink, appearing to read "Sean P. Carter", is written over the printed name.

By: Sean P. Carter

SPC/:bdw

cc: The Honorable George B. Daniels (via ECF)
All MDL Counsel of Record (via ECF)

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